

REMARKS

The foregoing amendment amends claim 1, 3, 5, 8, 10, 12, 15, 17 and 19 and cancels claims 2, 4, 9, 11, 16 and 18. Applicants respectfully submit that the foregoing amendment introduces no new matter, and request entry and consideration of the amendment. Pending in the application after entrance of the foregoing amendment are claims 1, 3, 5, 6-8, 10, 12, 13-15, 17 and 19-20, of which claims 1, 8 and 15 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Claims 1, 8 and 15 are amended to include the patentable subject matter of claims 4, 11 and 18, respectively. Consequential amendments are made to claims 3, 5, 10, 12, 17 and 19. *No new matter is added.*

Amendment and/or cancellation of the claims are not to be construed as an acquiescence to any of the objections/rejections set forth in the instant Office Action, and were done solely to expedite prosecution of the application. Applicants reserve the right to pursue the claims as originally filed, or similar claims, in this or one or more subsequent patent applications

Claim Rejections Under 35 USC § 102

Applicants thank the Examiner for the close review of the claims and for indicating that claims 4, 11 and 18 recite patentable subject matter. In the Office Action, the Examiner maintains and makes final the rejection of claims 1-3, 5-10, 12-17, 19 and 20 under 35 U.S.C. §102(e) as being anticipated by Boie et al. (U.S. Patent 6,340,008).

According to the Examiner, the Boie reference discloses the application of a brake to an armature according to a load condition of the armature and in response to a release of the armature. Applicants maintain that the Boie reference teaches *away* from the subject matter of claims 1-3, 5-10, 12-17, 19 and 20, in particular because the Boie reference requires that no influencing force be applied immediately after release of the armature and that the armature be only “observed” during the initial period after release. Applicants further submit that the Boie

reference does not disclose controlling an armature speed through different regions A, B, C, D and E, in particular during the period immediately after release of the armature.

However, in order to expedite allowance and issuance of the present application, Applicants have amended the independent claims to include the patentable subject matter recited in dependent claims 4, 11 and 18, which the Examiner indicated to be allowable. As recognized by the Examiner, the cited references, in particular the Boie reference, do not teach or suggest application of a brake to an armature that includes an overexcitation period, a flywheel period and a suspension period in sequence, as set forth in amended independent claims 1, 8 and 15. Therefore, claims 1, 8 and 15, as well as dependent claims 3, 5, 6-7, 10, 12, 13-15, 17 and 19-20 are in immediate condition for allowance.

Applicants reserve the right to file the file the original claims, or similar claims, in one or more subsequent applications.

CONCLUSION

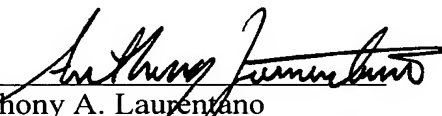
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, however, the Examiner considers that obstacles to allowance of these claims persist, we invite a telephone call to Applicants' representative at the number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. OAC-018 from which the undersigned is authorized to draw.

Dated: March 17, 2005

Respectfully submitted,

By 
Anthony A. Laurentano
Registration No. 38,220
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney For Applicants